

12/14/01

JC860 U.S. PTO

UTILITY
PATENT APPLICATION
TRANSMITTAL

Attorney Docket No.: CM01990K
 First Inventor: Gary M. Rapps
 Title: AN ADJUSTABLE BEHIND-THE-EAR COMMUNICATION DEVICE
 Express Mail Label No.: ET339127204US

(Only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS
(see MPEP chapter 600 concerning
utility patent application contents)

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

1. ☒ Fee Transmittal Form in duplicate
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status
See 37 CFR 1.27
3. ☒ Specification Total Pages
(preferred arrangement set forth below)
 -Descriptive title of the invention
 -Cross Reference to Related Applications
 -Statement Regarding Fed sponsored R&D
 -Reference to sequence listing, a table,
 -Background of the Invention
 -Brief Summary of the Invention
 -Brief Description of the Drawings (if filed)
 -Detailed Description
 -Claim(s)
 -Abstract of the Disclosure

4. ☒ Drawing(s) Total Sheets

5. Oath or Declaration

- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37
CFR 1.63(d)) (for continuation/ divisional with
Box 18 completed)
- i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 CFR 1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet under 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large
table or Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CFR)
- b. ☐ Specification Sequence Listing on:
i. ☐ CD-ROM or CD-4 (2 copies);
ii. ☐ or paper
- c. ☐ Statements verifying identify of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) ☐ Power of Attorney
Statement (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ IDS Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
15. ☐ Certified Copy of Priority Document
16. ☐ Nonpublication Request under 35 U.S.C.
122(b)(2)(B)(i). Applicant must attach form
PTO/SB/35 or its equivalent.
17. ☐ Other: _____

18. IF A CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in- Part (CIP) Prior Appl. No. Prior Appl. information: Examiner: Group/Art Unit:

For CONTINUATION OR DIVISIONAL APPS only The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label or ☐ Correspondence address below

Name Terri S. Hughes

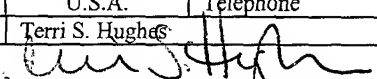
Address Motorola, Inc. - Law Department

1303 E. Algonquin Road

City Schaumburg State IL Zip Code 60196

Country U.S.A. Telephone 847/576-0741 Fax 847/576-0721

Name Terri S. Hughes Registration No. 41,856

SIGNATURE  Date December 14, 2001

FEE TRANSMITTAL

Patent fees are subject to annual revision

Complete if Known

Application Number N/A
Filing Date December 14, 2001
First Named Inventor Gary M. Rapps
Examiner Name N/A
Group Art Unit N/A
Attorney Docket No. CM01990K

TOTAL AMOUNT OF PAYMENT \$780.00

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number 13-4772
Deposit Account Name Motorola, Inc.

☒ Charge Any Additional Fee required under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|
| 101 | 740 | 201 | 370 | Utility filing fee 740 |
| 106 | 330 | 206 | 165 | Design filing fee |
| 107 | 510 | 207 | 255 | Plant filing fee |
| 108 | 740 | 208 | 370 | Reissue filing fee |
| 114 | 160 | 214 | 80 | Provisional filing fee |

SUBTOTAL (1) \$740.00

2. EXTRA CLAIM FEES

| Total Claims | Previously Paid** | Extra Claims | Fee from below | Fee Paid |
|--------------------|-------------------|--------------|----------------|----------|
| 19 | 20 | 0 | 18 | 0 |
| Independent Claims | 2 | 3 | 0 | 0 |
| Multiple Dependent | | | 280 | 0 |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description |
|----------------|-----------------|----------------|-----------------|---|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid |
| 109 | 84 | 209 | 42 | * Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | * Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) \$0

**OR NUMBER PREVIOUSLY PAID, IF GREATER THAN STANDARD ALLOWANCE.

*For Reissues, see above

SUBMITTED BY

Name (Print/Type) Terri S. Hughes

Signature

Registration No. 41,856

Telephone 847/576-0741

Date December 14, 2001

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description |
|-----------------------|-----------------------|-----------------------|-----------------------|--|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath |
| 127 | 50 | 227 | 25 | Surcharge - late Provisional filing |
| 139 | 130 | 139 | 130 | Non-English specification |
| 147 | 2520 | 147 | 2520 | For filing a request for ex parte Reexamination |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action |
| 113 | 1840* | 113 | 1840* | Requesting publication of SIR after Examiner action |
| 115 | 110 | 215 | 55 | Extension for reply within first month |
| 116 | 400 | 216 | 200 | Extension for reply within second month |
| 117 | 920 | 217 | 460 | Extension for reply within third month |
| 118 | 1440 | 218 | 720 | Extension for reply within fourth month |
| 128 | 1960 | 228 | 980 | Extension for reply within fifth month |
| 119 | 320 | 219 | 160 | Notice of Appeal |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal |
| 121 | 280 | 221 | 140 | Request for oral hearing |
| 138 | 1510 | 138 | 1510 | Petition to institute a public use proceeding |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable |
| 141 | 1280 | 241 | 640 | Petition to revive - unintentional |
| 142 | 1280 | 242 | 640 | Utility issue fee (or reissue) |
| 143 | 460 | 243 | 230 | Design issue fee |
| 144 | 620 | 244 | 310 | Plant issue fee |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17(q) |
| 126 | 180 | 126 | 180 | Submission of IDS |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) |
| 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application |

Other fee (specify)

* Reduced by Basic Filing Fee paid

SUBTOTAL (3) \$40.00

Complete (if applicable)

CM01990K